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Susan M Didriksen, Chapter 7 Trustee
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

HELEN MANTIS

Debtor.

Case No. 10-50580-E-7

DCN: SMD - 1

DATE: August 11, 2011

TIME: 10:30 a.m.

LOCATION: 501 I Street, 6th Floor
Department E
Courtroom 33 (6th Floor)
Sacramento, CA 95814

**MOTION TO APPROVE SALE OF PERSONAL PROPERTY OF THE ESTATE
(11 U.S.C. §363)**

SUSAN DIDRIKSEN ("Trustee") hereby moves for approval of the sale of the estate's 1/7th ownership interest in the property known as 2550 Valley Road, Sacramento, CA, to the Debtor for \$3,000, net of any exemptions claimed, subject to overbidding at the hearing. In support thereof, it is respectfully represented that:

1. This case was commenced by the conversion of a Chapter 13 filing to a Chapter 7 petition on March 11, 2011. Trustee is the duly appointed trustee for the Debtors' estate.
2. Among the assets of the bankruptcy estate is the Debtor's 1/7th ownership in the property located at 2550 Valley Road, Sacramento, CA, which the Debtor valued at \$19,000 in her Schedule B.

3. The Debtor exempted \$23,249 of the 1/7th interest under California Code of Civil Procedure Section 703(b)(5). Upon further investigation and review by a commercial broker, the market value 1/7th interest was determined to be \$29,250.
4. The Debtor, through her attorney, Mr. Richard Jare has offered to buy the unexempted portion of the interest in the property for \$3,000, payable in monthly installments of \$1,000 due on the first of each month in the form of cashier's check.
5. Trustee desires to sell the bankruptcy estate's interest in the foregoing property, subject to bankruptcy court approval.
6. The undersigned Trustee believes that the immediate liquidation of the Subject Property is in the best interest of the Bankruptcy Estate. This proposed sale would also alleviate the typical costs incurred with the sale of property held with other owners (i.e. potential litigation, etc.) and any sales commission attendant to a sale. Therefore, The trustee requests the approval from this Court to sell the aforementioned 1/7th interest to the Debtor for the amount of \$3,000, net of the credit representing the Debtor's claimed C.C.P. §703.140(b)(5) exemption, subject to any overbids tendered at the Court hearing.
7. At the Court hearing, the Trustee will request that the Court solicits overbids. The Trustee further requests that overbids, if any, be submitted in minimum increments of \$200.00 from qualified bidders who must contact the Trustee at least twenty-four hours prior to this hearing. Any successful over bidder must remit the full amount of the cash selling price to the Trustee within twenty-four hours after the Court hearing is concluded.

WHEREFORE, Trustee prays that the motion be granted, and for such other and further relief as is necessary and proper.

Respectfully submitted,

Dated: July 15, 2011

/s/ Susan M. Didriksen
Susan M. Didriksen, Chapter 7 Trustee